

REMARKS

Applicants thank the Examiner for examining the Application. Applicants have amended claims 1, 26, and 61 to further clarify the invention and to expedite prosecution, as explained further below, and have canceled claims 14, 40, and 74. Support for the amendment of claims 1, 26, and 61 may be found throughout the specification, and the amendment of claims 1, 26, and 61 does not constitute adding new matter. With the amendments, claims 1-4, 6-13, 15-39, 41, 44-64, 66-73, and 75-90 are pending.

Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 1-4, 6-10, 12-25, 26-41, 44-64, 66-70, and 72-84 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,938,087 to Abu-Samaha in view of U.S. Patent No. 6,564,264 to Creswell et al.

Applicants' have amended independent claim 1 to include the limitations formerly present in Applicants' now-canceled dependent claim 14. Applicants' amended independent claim 1 now requires, among other things:

- maintaining a copy of said uniform media formatted message within a database;
- determining whether said message formatted for a first communications protocol has been delivered via a first communications channel;

- retrieving said copy of said uniform media formatted message from said database;

- identifying at least one of the following: a second communications device to receive said message and a second communications channel for delivering said message;

- converting said uniform media formatted message for a second communications protocol; and

- forwarding said message formatted for said second communications protocol via said second communications channel.

The Examiner cited to col. 4 line 36 to col. 5 line 57 of Abu-Samaha as teaching or suggesting these limitations.

However, neither in the cited text nor elsewhere does Abu-Samaha teach or suggest maintaining a copy of said uniform media formatted message within a database; retrieving said copy of said uniform media formatted message from said database; identifying at least one of the following: a second communications device to receive said message and a second communications channel for delivering said message; converting said uniform media formatted message for a second communications protocol; and forwarding said message formatted for said second communications protocol via said second communications channel, as required by Applicants' amended independent claim 1. Indeed, nothing in the text of Abu-Samaha teaches or suggests what happens after the message has been delivered, except to suggest that the status of the delivered message may be monitored, see Abu-Samaha col. 7 lines 49-65, though for what purpose Abu-Samaha does not say. Nowhere in the text of Abu-Samaha does Abu-Samaha teach that the same message, formatted according to a uniform media format, is later retrieved from a database, converted for a second communications protocol, and then forwarded via a second communications channel using that second communications protocol, as required by Applicants' amended independent claim 1.

Therefore, for at least the reasons given above, Applicants' amended independent claim 1 is itself allowable over Abu-Samaha, and is thus also allowable over the combination of Abu-Samaha with Creswell et al.

Applicants have amended independent claim 61 similarly to the amendment to Applicants' allowable amended independent claim 1, i.e., Applicants' amended independent claim 61 now includes the limitations formerly present in Applicants' canceled dependent claim 74. Applicants' amended independent claim 61 therefore contains limitations similar to those of Applicants' allowable amended independent claim 1. Thus, for at least the reasons given above with regards to Applicants' allowable amended independent claim 1, Applicants' amended independent claim 61 is itself

allowable over Abu-Samaha, and is thus also allowable over the combination of Abu-Samaha with Creswell et al.

Applicants have also amended independent claim 26 to include the limitation formerly present in Applicant's canceled dependent claim 40. Applicants' amended independent claim 26 now requires, among other things, that the system further comprise a message transmission error handling module to handle message delivery errors, wherein said at least one delivery transport agent notifies said message transmission error handling module of the occurrence of a message delivery error. Though this limitation is not the same as the limitations added to Applicants' allowable amended independent claims 1 and 61, it concerns the same subject matter, namely what happens after the message has been delivered. Nowhere in its text does Abu-Samaha teach or suggest how to address errors in the delivery of messages. Indeed, the word "error" or an equivalent word or phrase does not appear anywhere in Abu-Samaha. Abu-Samaha teaches a system that provides a service but does not teach anything about what happens should that system experience an error in providing that service. Abu-Samaha fails to teach or suggest a message transmission error handling module to handle message delivery errors, wherein said at least one delivery transport agent notifies said message transmission error handling module of the occurrence of a message delivery error, as required by Applicants' amended independent claim 26. Therefore, for at least this reason, Applicants' amended independent claim 26 is itself allowable over Abu-Samaha, and is thus also allowable over the combination of Abu-Samaha with Creswell et al.

Applicants' dependent claims 2-4, 6-10, 12-13, 15-25, 27-39, 41, 44-60, 62-64, 66-70, 72-73, 75-84, and 88-90 depend from, respectively, Applicants' allowable amended independent claims 1, 26, and 61. Therefore for at least the reasons given above with regards to Applicants' allowable amended independent claims 1, 26, and 61, Applicants' dependent claims 2-4, 6-10, 12-13, 15-25, 27-39, 41, 44-60, 62-64, 66-70,

72-73, 75-84, and 88-90 are themselves allowable over Abu-Samaha, and are thus also allowable over the combination of Abu-Samaha with Creswell et al.

The Examiner next rejected claims 11 and 71 under 35 U.S.C. § 103(a) as being unpatentable over Abu-Samaha in view of Creswell et al. and further in view of Official Notice.

Applicants' dependent claims 11 and 71 depend from, respectively, Applicants' allowable amended independent claims 1 and 61. Therefore for at least the reasons given above with regards to Applicants' allowable amended independent claims 1 and 61, Applicants' dependent claims 11 and 71 are themselves allowable over Abu-Samaha, and are thus also allowable over the combination of Abu-Samaha with Creswell et al. and further in view of Official Notice.

The Examiner next rejected claims 85, 86, and 87 under 35 U.S.C. § 103(a) as being unpatentable over Abu-Samaha in view of Creswell et al. and further in view of U.S. Patent No. 6,650,739 to Doeberl et al.

Applicants' dependent claims 85, 86, and 87 depend from, respectively, Applicants' allowable amended independent claims 1, 26, and 61. Therefore for at least the reasons given above with regards to Applicants' allowable amended independent claims 1, 26, and 61, Applicants' dependent claims 85, 86, and 87 are themselves allowable over Abu-Samaha, and are thus also allowable over the combination of Abu-Samaha with Creswell et al. and further in view of Doeberl et al.

CONCLUSION

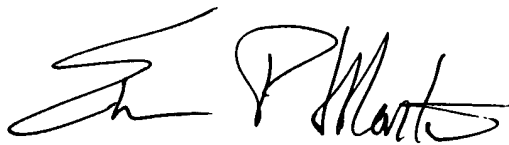
Applicants believe this Amendment and Response to be fully responsive to the present Office Action. Thus, based on the foregoing Remarks, Applicants respectfully submit that this application is in condition for allowance. Accordingly, Applicants request allowance of the application.

Applicants hereby petition for any extension of time required to maintain the pendency of this case. If there is any fee occasioned by this response that is not paid, please charge any deficiency to Deposit Account No. 50-3735.

Should the enclosed papers or fees be considered incomplete, Applicants respectfully request that the Patent Office contact the undersigned collect at the telephone number provided below.

Applicants invite the Examiner to contact the Applicants' undersigned Attorney if any issues are deemed to remain prior to allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Shaun P. Montana', is written over a horizontal line.

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